

REMARKS

This Preliminary Amendment is being filed with a Request for Continued Examination (RCE) of Application Serial No. 09/400,154. The RCE and the Preliminary Amendment are being filed in response to the final Office Action mailed September 21, 2005. Upon entry of the Preliminary Amendment, Claims 27, 37, and 47-52 will have been amended, and Claims 27-52 will be pending. No new matter has been introduced. Entry of this Preliminary Amendment and continued examination on the merits is respectfully requested.

Response to the Rejections Under 35 U.S.C. §§ 102(b) and 103(a)

Claims 27, 28, 30, 47, 49, and 51 have been rejected under 35 U.S.C. § 102(b) as being unpatentable over published European Patent Application EP 0 860 978 A2 to Fukasaka et al. (Fukasaka). Claims 36-38, 40, 46, 48, 50, and 52 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka. Claims 29, 39, 32, and 42 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka in view of US Patent 5,864,411 to Norris. Claims 31 and 41 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka in view of US Patent 6,542,184 to Driscoll, Jr., et al. (Driscoll). Claims 33-35, and 43-45 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Fukasaka in view of Norris. Applicants traverse these rejections.

The cited reference of Fukasaka discloses:

- (a) a camera controller transmits an application starting signal to a computer 201 when a shutter button 11 of an image input device 101 is pushed; and
- (b) the computer 201 makes a start an OCR software when a switch of a camera 100 is pushed to change a non-document mode to a document

mode.

On the contrary, the present invention is characterized by:

- (a) a transmitting unit transmits information indicating an operation mode in said image input device to said computer with a trigger that said image input device and said computer are connected with each other and a communication between said image device and said computer is established in a case that said image device is connected to said computer in a state that said image input device is active; and
- (b) a transmitting unit transmits information indicating an operation mode set in said image input device to said computer with a trigger that said image input device becomes active after said image input device is connected to said computer in a case that said image input device is connected to said computer in a state that said image input device is non-active.

In other words, in the present invention, a trigger for transmitting information indicating an operation mode set in the image input device to the computer is changed on the basis of a status of the image input device when the image input device is connected to the computer. This feature of the present invention is neither taught, suggested, nor otherwise rendered obvious to one of ordinary skill in the art, at the time the invention was made, over the cited and applied references of Fukasaka, Norris, and Driscoll, either alone or in combination.

In view of the above, the subject matter recited in Claims 27-52 is distinguished over the applied prior art references of Fukasaka, Norris, and Driscoll, either alone or in combination.

Accordingly, the rejections under 35 U.S.C. §§ 102(b) and 103(a) should be withdrawn.

CONCLUSION

Applicant respectfully submits that Claims 27-52 are in condition for allowance and a notice to that effect is earnestly solicited.

AUTHORIZATIONS

The Commissioner is hereby authorized to charge any additional fees which may be required for filing this application, or credit any overpayment to Deposit Account No. 13-4500, Order No. 1232-4568. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

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